

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	03 C 9158	DATE	8/23/2004
CASE TITLE	Sardar M. Sheikh vs. U.S. Filter Culligan		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

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## DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [ use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> Local Rule 41.1 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry]   Enter Memorandum Opinion and Order. Paragraphs 4, 24 and 26 of defendant's Answer are stricken, albeit with leave granted to file an appropriate amendment to the Answer in this Court's chambers on or before September 7, 2004.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input checked="" type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	SN courtroom deputy's initials 	number of notices	Document Number 
		AUG 24 2004 <small>date docketed</small>	
		rbf <small>docketing deputy initials</small>	
		8/23/2004 <small>date mailed notice</small>	
		SN <small>mailing deputy initials</small>	

**DOCKETED**  
AUG 24 2004

No. 03 C 9158

Culligan International Company ("Culligan," incorrectly named in the Complaint as "U.S. Filter, Culligan International") has filed its Answer and Affirmative Defenses ("ADs") to the Amended Complaint ("AC") filed by appointed counsel for Sardar Sheikh ("Sheikh"). Because that responsive pleading has inexplicably introduced some pleading errors that were not present in Culligan's Answer to Sheikh's original pro se Complaint, this memorandum order is issued sua sponte to require the correction of those items.

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v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001) and cases cited there. Accordingly those three paragraphs are stricken, albeit with leave granted to file an appropriate amendment to the Answer in this Court's chambers (with a copy of course being sent contemporaneously to Sheikh's counsel) on before September 7, 2004.

As long as Culligan's counsel is returning to the drawing board in any event, he must also eliminate the "to the extent" hedges contained in Answer ¶¶24 and 26. That locution is totally uninformative and hence unacceptable, for it gives neither opposing counsel nor this Court any clue as to the particular matters that the pleader seeks to deny. If any pleader intends to target a portion of an opposing party's pleading as somehow inadequate, he or she must instead provide chapter and verse.

For the same reason, the comparable hedges in ADs 1, 3 and 4 do not qualify even under the notice pleading regime in force in the federal courts. Each of those ADs is therefore also stricken, this time without leave being granted to reassert such defenses unless appropriate specifics are provided.

No charge is to be made to Culligan by its counsel for the added work and expense incurred in correcting counsel's errors. Culligan's counsel is ordered to apprise his client to that

effect by letter, with a copy to be transmitted to this Court's chambers as an informational matter (not for filing).

A handwritten signature in cursive script, appearing to read "Milton I. Shadur", written over a horizontal line.

Milton I. Shadur  
Senior United States District Judge

Date: August 21, 2004

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